

Town Board Minutes

October 19, 2015

Meeting No. 32

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 19th day of October 2015 at 7:00 P.M. and there were

PRESENT: JOHN ABRAHAM, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
DINO FUDOLI, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
JOHN DUDZIAK, TOWN ATTORNEY
JEFFREY SIMME, CODE ENFORCEMENT OFFICER
GERALD GILL, CHIEF OF POLICE
MARK LUBERA, PARK CREW CHIEF
DANIEL AMATURA, HIGHWAY SUPERINTENDENT
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES
JOHN TROJANOWSKY, EXEC. DIRECTOR, YOUTH BUREAU

EXECUTIVE SESSION:

AT 8:34 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER RUFFINO AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

At 8:45 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

PERSONS ADDRESSING TOWN BOARD:

Beutler, Daniel, spoke to the Town Board on the following matter:

- Dog kennel.

Fronczak, Mike, spoke to the Town Board on the following matters:

- Baseball diamond renovation and upgrade at Westwood, Meadow Lea and Walden Pond Parks.
- Demolition and removal of house at 16 School Street.
- Proposed signage for church on Rehm Road.
- Striping of Juniper Boulevard.
- Concerns about “pickle ball”
- Violations at Walmart.
- Bollards at Public Safety Building.

LeBeau, Rev. Tom, spoke to the Town Board on the following matter:

- Agreement with Lancaster School District for Joint Social Work Counselor program.

Walters, Eric, spoke to the Town Board on the following matter:

- Vehicle and traffic public hearing.

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: No. 1: Community Development Block Grant Funds

ON MOTION BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER STEMPNIAK AND CARRIED, the public hearing was opened.

At 7:15 P.M., the Town Board held a Public Hearing to hear all interested persons upon a Community Development Block Grant Funds matter.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT	Proponent/ Opponent/ Comments/Question
Elizabeth Seaner	Proposes a van for Senior Citizens.

ON MOTION BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER ABRAHAM AND CARRIED, the public hearing was closed at 7:17 P.M.

The Town Board, later in the meeting adopted a resolution, hereafter spread at length in these minutes, taking favorable action upon this matter.

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PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: No. 2: 2016 Special Districts Budget

ON MOTION BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER ABRAHAM AND CARRIED, the public hearing was opened.

At 7:17 P.M., the Town Board held a Public Hearing to hear all interested persons upon a 2016 Special Districts Budget matter.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT	Proponent/ Opponent/ Comments/Question
Mike Fronczak	Questions – Plowing of Fire Department parking lots.

ON MOTION BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER ABRAHAM AND CARRIED, the public hearing was closed at 7:22 P.M.

Decision on this matter was reserved.

October 19, 2015

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: No. 3: 2016 Preliminary Budget

ON MOTION BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER STEMPNIAK AND CARRIED, the public hearing was opened.

At 7:22 P.M., the Town Board held a Public Hearing to hear all interested persons upon a 2016 Preliminary Budget matter.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT	Proponent/ Opponent/ Comments/Question
Rev. Tom LeBeau	Comments regarding the removal of funding in Superior’s budget for Social Work Counselor.
Mike Fronczak	Questions regarding Tentative budget.
Tom Kazmierczak	Comments – CPI is not increasing for 2016 so employees should not be greedy.
Carmen Hangauer	Concerns about hiring of Social Work Counselor.
Dave Hangauer	Process of other towns when adopting budget.
Dennis Komrek	Questions – Cuts in Forestry Department. Contract negotiations.
Dan Beutler	This is a scary budget.
Eric Walters	Cost of health insurance.

ON MOTION BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER ABRAHAM AND CARRIED, the public hearing was closed at 8:10 P.M.

Decision on this matter was reserved.

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PRESENTATION OF PREFILED RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that the minutes of the Joint Meeting of the Town Board and the Planning Board held October 5, 2015 and the Regular Meeting of the Town Board held October 5, 2015 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

October 19, 2015

File: RMIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk
by the Assistant to the Supervisor, to wit:

Claim No. 41786 to Claim No. 41970 Inclusive

Total amount hereby authorized to be paid: \$952,429.21

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

October 19, 2015

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:
(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster are waived for this permit.
(CSW) = Conditional sidewalk waiver
(V/L) = Village of Lancaster

NEW PERMITS:					
Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
24634		Twin Dist. Fire Dept.	4983 William St	Er. Pole Barn	
24635		Neth & Son, Inc.	21 Hill Valley Dr	Er. Shed	
24636		Pleasant Meadows Assocs. LLC	11 Magrum Ln	Er. Dwlg.-Sin.	
24637		Heather Zoeller	530 Aurora St	Er. Garage	
24638		Stockmohr Co., Inc.	90 Irwinwood Rd	Re-Roof	(V/L)
24639		Stockmohr Co., Inc.	47 Michael's Walk	Re-Roof	
24640		Adam Cichocki	44 Pardee Ave	Er. Deck	(V/L)
24641		Brian Ward	5 Windsor Ridge Dr	Er. Deck	
24642		Joshua Puerner	19 Hinchey Ave	Re-Roof	(V/L)
24643		David & Barbara Gwarek	803 Erie St	Er. Shed	
24644		JS Power Systems, LLC	67 Newberry Ln	Inst. Generator	
24645		F & D Construction, Inc.	53 Stony Brook Dr	Re-Roof	
24646		Robert Monti	5813 Broadway	Er. Sign - Temp	
24647		Expert Exteriors, Inc.	41 Cowing St	Re-Roof	(V/L)
24648		David & Michele Gawelo	4 Worthington Ln	Er. Shed	
24649		Sahlems Roofing and Siding Inc.	1 Stone Hedge Dr	Re-Roof	
24650		Richard Bishop	63 Sawyer Ave	Er. Fence	(V/L)
24651		Ryan Homes - NVR Inc.	60 Pavement Rd	Er. Dwlg.-Sin.	
24652		Jeff Doetteri	19 Silent Meadow Lane	Er. Shed	
24653		Eric M Caprilla	1 Deerpath Dr	Er. Shed	
24654		Michael & Pamela Haen	34 St Anthony St	Er. Shed	
24655		Matthew & Antonio Contracting	22 Grant Ave	Re-Roof	(V/L)
24656		Joshua Ball	7 Primrose Ln	Er. Fence	
24657		Black Rock Roofing	35 Woodgate Dr	Re-Roof	
24658		Zenner & Ritter Co., Inc.	83 Sturm St	Inst. Generator	(V/L)
24659		Jay Ringulet Jr.	11 Squirrel Run	Er. Fence	
24660		Gen-Tech Power Systems LLC	22 St Davids Rd	Inst. Generator	
24661		John I. Stendahl	5773 Broadway	Re-Roof	
24662		Big Bears Construction, Inc.	17 Maple Ave	Re-Roof	(V/L)
24663		Mulvey Construction	5123 Transit Rd	Dem. Comm. Bldg.	
24664		Nancy Shields	23 Partridge Walk	Er. Porch	
24665		Winnomotive Properties	4304 Walden Ave	Er. Sign - Temp	
24666		Family Roofing & Repairs, Inc.	333 Stony Rd	Re-Roof	
24667		The Vinyl Outlet, Inc.	108 Burwell Ave	Er. Fence	(V/L)
24668		Jeffrey & Karen Doetterl	19 Silent Meadow Lane	Er. Fence	

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

October 19, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, the Town Board is considering the sale of vacant property located on Broadway at Bowen Road in the Town of Lancaster, New York; SBL No. 116.00-1.8.2 (the “Property”). This action involves only the sale of the Property consisting of 3.09 ± acres of land within the Town of Lancaster, and

WHEREAS, the Town of Lancaster Municipal Review Committee has reviewed the environmental impact of this construction project pursuant to SEQR regulations at their meeting on October 5, 2015 and recommended that a Negative Declaration be issued, and

WHEREAS, the Town Board has duly considered the sale of said property, the short Environmental Assessment Form, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c) of the State Environmental Quality Review Act (“SEQRA”) regulations, and such other information deemed appropriate, including the recommendation of the Municipal Review Committee; and

WHEREAS, the Town Board has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination; and

WHEREAS, the proposed action has been labeled an “Unlisted” action under SEQRA.

NOW, THEREFORE,
BE IT RESOLVED by the Town Board of the Town of Lancaster that:

1. This project, described as the sale of vacant property located on Broadway at Bowen Road in the Town of Lancaster, New York; SBL No. 116.00-1.8.2 (the “Property”). This action involves only the sale of the Property consisting of 3.09 ± acres of land within the Town of Lancaster, will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein.
2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.
3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.
4. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

October 19, 2015

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: October 19, 2015

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Lancaster Town Board (the “Town Board”), has reviewed the proposed sale of vacant property located on Broadway at Bowen Road in the Town of Lancaster, New York; SBL No. 116.00-1.8.2 (the “Property”) This action involves only the sale of the Property consisting of 3.09 ± acres of land. The Town Board has determined the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: The Sale of vacant property located on Broadway in the Town of Lancaster.

Location of Action: Located at Broadway and Bowen Road in the Town of Lancaster; SBL No. 116.00-1-8.2, Lancaster, New York 14086, Erie County. Location map is attached to the Environmental Assessment Form.

SEQR Status: Unlisted.

Description of Action: The Town of Lancaster is proposing to convey vacant property located on Broadway at Bowen Road in the Town of Lancaster, New York; SBL No. 116.00-1.8.2 (the “Property”). This action involves only the sale of the Property only. The purchaser of the Property has not yet submitted an application as to its intended use of the Property. However, it is anticipated that the purchaser will attempt to acquire additional property from other owners and develop the Property into a residential use. Development of multi-unit residential use would potentially require a rezoning, site plan approval, or other approval as set forth in the Town Zoning Code. The Property is currently zoned General Business and R-1. Until such time as an application is submitted to the Town, the Town is unable to evaluate impacts of any proposed development as such impacts are speculative.

Reasons Supporting this Determination: The Town Board has identified the relevant areas of environmental concern and has taken a hard look at each of the identified areas as required by the State Environmental Quality Review Act (“SEQRA”). The Town Board compared the proposed project (“action”) with the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). As indicated below in the discussion of each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment.

(i) a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;

a. Traffic Impacts

This action involves the sale of vacant property to a purchaser, following an auction. The sale of the Property will not result in any significant traffic impacts. No development plan or application has been submitted to the Town. If the purchaser chooses to develop the Property and change the existing use from vacant property to another use, the impacts of any such development proposal will be evaluated once a proposal is developed. Any impacts from an undefined development is too speculative for the Town to review.

b. Noise Impacts

This action involves the sale of vacant property to a purchaser, following an auction. The sale of the Property will not result in any significant noise impacts. No development plan or application has been submitted to the Town. If the purchaser chooses to develop the Property and change the existing use from vacant property to another use, the impacts of any such development proposal will be evaluated once a proposal is developed. Any impacts from an undefined development is too speculative for the Town to review.

c. Air Quality Impacts

This action involves the sale of vacant property to a purchaser, following an auction. The sale of the Property will not result in any significant air quality impacts. No development plan or application has been submitted to the Town. If the purchaser chooses to develop the Property and change the existing use from vacant property to another use, the impacts of any such development proposal will be evaluated once a proposal is developed. Any impacts from an undefined development is too speculative for the Town to review.

d. Wetland Impacts

This action involves the sale of vacant property to a purchaser, following an auction. The sale of the Property will not result in any significant wetland impacts as no construction has yet been proposed and the Property does not contain any federal or state wetlands. Plum Creek runs across the Property, but the sale of the Property will not have a significant impact upon this water resource. No development plan or application has been submitted to the Town. If the purchaser chooses to develop the Property and change the existing use from vacant property to another use, the impacts of any such development proposal will be evaluated once a proposal is developed. Any impacts from an undefined development is too speculative for the Town to review.

e. Erosion, Flooding and Drainage Impacts

This action involves the sale of vacant property to a purchaser, following an auction. The sale of the Property will not result in any significant erosion, flooding, or drainage impacts. No development plan or application has been submitted to the Town. If the purchaser chooses to develop the Property and change the existing use from vacant property to another use, the impacts of any such development proposal will be evaluated once a proposal is developed. Any impacts from an undefined development is too speculative for the Town to review.

f. Solid Waste Production

This action involves the sale of vacant property to a purchaser, following an auction. The sale of the Property will not result in any significant increase in solid waste production. No development plan or application has been submitted to the Town. If the purchaser chooses to develop the Property and change the existing use from vacant property to another use, the impacts of any such development proposal will be evaluated once a proposal is developed. Any impacts from an undefined development is too speculative for the Town to review.

(ii) the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources;

This action involves the sale of vacant property to a purchaser, following an auction. The sale of the Property will not result in any removal or destruction of large quantities of vegetation or fauna, nor will there be substantial interference with the movement of any resident or migratory fish or wildlife species. There will be no significant adverse impacts on a significant habitat area, on threatened or endangered species of animal or plant, on habitats of such species. No development plan or application has been submitted to the Town. If the purchaser chooses to develop the Property and change the existing use from vacant property to another use, the impacts of any such development proposal will be evaluated once a proposal is developed. Any impacts from an undefined development is too speculative for the Town to review.

(iii) the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to subdivision 617.14(g) of this Part;

There is no Critical Environmental Area within the Town of Lancaster, thus there will be no significant adverse impacts.

(iv) the creation of a material conflict with a community's current plans or goals as officially approved or adopted;

The proposed sale is consistent with the Town’s current plans and goals, as the sale does not permit any use of the property not specifically permitted by the zoning law.

(v) the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character;

The proposed sale will have no adverse impact on the surrounding community character. It will not affect the character or quality of important historical, archeological, architectural, or aesthetic resources. The proposed sale conforms to officially adopted plans or goals of the Town. No demand for additional community services will result from the action.

(vi) a major change in the use of either the quantity or type of energy;

There will be no such impacts.

(vii) the creation of a hazard to human health;

There will be no such impacts.

(viii) a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses;

There will be no such impacts.

(ix) the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;

There will be no such impacts.

(x) the creation of a material demand for other actions that would result in one of the above consequences;

There will be no such impacts.

(xi) changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or

There will be no such impacts.

(xii) two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in this subdivision.

For Further Information:

Contact Person:	John M. Dudziak, Town Attorney
	Town of Lancaster
Address:	21 Central Avenue
	Lancaster, New York 14086
Telephone Number:	(716) 684-3342

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster (a) hereby approves, as presented, the 2015-2016 Upstate Tactical Diversion Task Force Agreement between the Town of Lancaster and the United States Drug Enforcement Administration, and (b) hereby authorizes Gerald Gill, the Town Police Chief to execute said Agreement on behalf of the Town.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

October 19, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, Mark Lubera, Park Crew Chief of the Town of Lancaster’s Parks Recreation & Forestry Department, has requested that sixteen (16) 10ft x 8ft chain link fence bullpen screens be installed at the baseball diamonds within Walden Pond Park in the Town of Lancaster, and

WHEREAS, the Park Crew Chief, obtained a quote for the installation of the bullpen screens in accordance with the Town of Lancaster’s Procurement Policy, and

WHEREAS, by letter dated October 7, 2015, Mark Lubera requested that the Town of Lancaster contract with Iroquois Fence, Inc., to have sixteen 10ft x 8ft chain-link fence bullpen screens installed at the baseball diamonds within Walden Pond Park, at a cost of \$7,970.00 per their quote dated August 12, 2015, and

WHEREAS, funding for the installation of the sixteen (16) bullpen screens at the baseball diamonds within Walden Pond Park is available from the Town’s Recreation fees.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to contract with Iroquois Fence, Inc., 51 North America Drive, West Seneca, NY 14224, to install sixteen (16) 10ft x 8ft chain link fence bullpen screens at the baseball diamonds within Walden Pond Park, in accordance with their quote dated August 12, 2015 in an amount not to exceed \$7,970.00 and to be paid for with funds available from the Town’s Recreation fees.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

October 19, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, Town of Lancaster’s Park Crew Chief, Mark Lubera, of the Department of Parks, Recreation and Forestry of the Town of Lancaster by letter dated October 8, 2015 has requested the purchase of **one (1) new and unused T650 T4 Bobcat Track Loader** with 84 inch angle broom and an 80 inch low profile bucket for use by the Parks, Recreation and Forestry Department, and

WHEREAS, the above-referenced **Bobcat Track Loader** is available from the New York State Contract No. PC67141, Award No. PGB 22792, Group No. 40625-Heavy Equipment, through authorized State Vendor Bobcat of Buffalo, which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

WHEREAS, the Town Board deems it in the public interest to approve the purchase of one (1) new and unused **T650 T4 Bobcat Track Loader** with 84 inch angle broom and an 80 inch low profile bucket;

**NOW, THEREFORE, BE IT
RESOLVED**, as follows:

The Town Board of the Town of Lancaster hereby approves the purchase of **one (1) new and unused T650 T4 Bobcat Track Loader** with 84 inch angle broom and an 80 inch low profile bucket from the 2015 authorized New York State Vendor Bobcat of Buffalo, 6511 South Transit Road, Lockport, New York 14094-6329 under New York State Contract No. NY PC67141, Award No. PGB 22792, Group No. 40625-Heavy Equipment as proposed by Park Crew Chief, Mark Lubera for an amount not to exceed the state contract price of \$63,709.03; this sum will be paid from the Parks, Recreation and Forestry Department’s May 18, 2015 Vehicle and Equipment Acquisition Bond.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

October 19, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated October 7, 2015, has requested the addition of a member to the roster of said fire association.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the addition to the membership of the Town Line Volunteer Fire Department the following individual:

ADDITION:

Aric J. Reichart
Lancaster, New York

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

October 19, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, the Town Board of the Town Lancaster has held a public hearing to take comment on proposals for the Town Application for the Federal Community Development Funds, known as Community Development Block Grant Funds, for the year 2016-2017 and has identified the acquisition of a Senior Citizen Van as an eligible project which would benefit low to moderate income persons within the Town, and

NOW, THEREFORE

BE IT RESOLVED, at a meeting of the Lancaster Town Board held on October 19, 2015, the Board authorized Dino J. Fudoli, Supervisor, to sign, submit and execute contracts with the Erie County Community Development Block Grant (ECCDBG) program for the following projects upon approval of ECCDBG:

- 1. Acquisition of a Senior Citizen Van

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

October 19, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, the New York State Department of Criminal Justice Services offers a grant to pay for a maximum of fifty percent (50%) of the cost to purchase Livescan Digital Fingerprint Equipment, and

WHEREAS, on March 2, 2015 the Town authorized the application for and execution of any and all forms and documents needed to apply for said Livescan Digital Fingerprint Equipment with necessary matching funds coming from the Lancaster Police Department’s budget line, and

WHEREAS, after further review and consideration the Police Department has determined that the matching funds should come from the Town of Lancaster Police Asset Forfeiture Fund Account budget and not their budget line.

NOW, THEREFORE
BE IT RESOLVED, that the resolution adopted on March 2, 2015 authorizing application and execution of any and all documents related to the purchase of Livescan Digital Fingerprint Equipment be amended to indicate that the necessary matching funds will now come from the Town of Lancaster Police Asset Forfeiture Fund Account budget and not their budget line.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

October 19, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster, by letter dated October 13, 2015, has recommended the appointment of the following individual(s) to the following part-time permanent position(s).

NOW, THEREFORE, BE IT

RESOLVED, that the following individual(s) are hereby appointed to the following part-time permanent position(s) in the Highway Department, working not more than nineteen and three-quarter hours per week, and that these being part-time position(s), provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time permanent employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Spencer Podsiadlo (rehire) Cheektowaga, NY	Laborer	\$10.00	October 20, 2015

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

October 19, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Park Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter dated October 9, 2015, has recommended the appointment of the following individual(s) to the following part-time permanent position(s).

NOW, THEREFORE, BE IT

RESOLVED, that the following individual(s) are hereby appointed to the following part-time permanent position(s) in the Parks, Recreation and Forestry Department, working not more than nineteen and three-quarter hours per week, and that these being part-time position(s), provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time permanent employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Frank Trotta (new hire) Depew, NY	Lifeguard	\$10.00	September 21, 2015

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

October 19, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, §1660 (18) Vehicle and Traffic Law of the State of New York authorizes the Town to restrict and prohibit the parking of vehicles on all roads within the Town except State Highways, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled, "VEHICLE AND TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER";

NOW, THEREFORE,
BE IT RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on proposed amendments to the Vehicle and Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 2nd day of November, 2015, at 7:15 o'clock P.M., Local Time, and that Notice of the Time and Place of such hearing be published in the Official Newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

October 19, 2015

**LEGAL NOTICE
PUBLIC HEARING
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK
DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 19th day of October, 2015, the said Town Board will hold a Public Hearing on the 2nd day of November, 2015 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendments to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of said Town:

CHAPTER 46

ARTICLE X – Parking, Standing, and Stopping

46-12. Parking prohibited in designated locations, is hereby amended by adding thereto the following:

A. The parking of vehicles is hereby prohibited in any of the following locations:

(35) Deer Cross Subdivision

- (a) On both sides of Via Donato East from lot number 38 south to lot number 8 to the intersection of Via Tripodi and Via Donato East.**
- (b) On both sides of Via Donato West from lot number 20 to lot number 28 from the intersection of Via Tripoli.**

and

ARTICLE X – Parking, Standing, and Stopping

46-13. Standing prohibited in designated locations, is hereby amended by adding thereto the following:

A. The standing of vehicles is hereby prohibited in any of the following locations:

(35) Deer Cross Subdivision

- (a) On both sides of Via Donato East from lot number 38 south to lot number 8 to the intersection of Via Tripodi and Via Donato East.**
- (b) On both sides of Via Donato West from lot number 20 to lot number 28 from the intersection of Via Tripoli.**

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**By: JOHANNA M. COLEMAN
Town Clerk**

October 22, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, the Town of Lancaster implemented a self-insured workers’ compensation program effective July 1, 2014, and

WHEREAS, the Town of Lancaster engaged the services of Lawley Agency, LLC to provide Workers’ Compensation Self Insurance Plan Management for the one year period July 1, 2014 through July 1, 2015, and

WHEREAS, the Town of Lancaster also engaged the services of Lawley Agency, LLC to provide Risk Management – Claims/Loss Control for the one year period July 1, 2014 through July 1, 2015, and

WHEREAS, the Town of Lancaster wishes to renew the above agreements for the one year period July 1, 2015 to July 1, 2016.

NOW THEREFORE,

BE IT RESOLVED, that the Town Board hereby approves the agreements with Lawley Agency, LLC for Workers’ Compensation Self Insurance Plan Management and Risk Management – Claims/Loss Control for the one year period July 1, 2014 through July 1, 2015, as presented.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

October 19, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Park Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter dated October 14, 2015, has recommended the appointment of the following individual(s) to the following part-time permanent position(s).

NOW, THEREFORE, BE IT

RESOLVED, that the following individual(s) are hereby appointed to the following part-time permanent position(s) in the Parks, Recreation and Forestry Department, working not more than nineteen and three-quarter hours per week, and that these being part-time position(s), provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time permanent employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Justin Rybacki (rehire) Lancaster, NY	Laborer	\$12.00	October 20, 2015

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

October 19, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, Time Warner Cable Northeast LLC ("Franchisee") is the duly authorized holder of a franchise, as amended to date (the "Franchise"), authorizing Franchisee to operate and maintain a cable system to serve the Town of Lancaster, NY (the "Franchise Authority"); and

WHEREAS, on May 23, 2015, Charter Communications, Inc. ("Charter Communications") along with its subsidiary CCH I, LLC ("New Charter") entered into agreements with Time Warner Cable Inc. ("TWC") (the ultimate parent company of Franchisee), Advance/Newhouse Partnership ("A/N"), and Liberty Broadband Corporation ("Liberty") in order to merge with TWC, the ultimate parent of the Franchisee (the "Transaction"); and

WHEREAS, TWC will merge into a subsidiary of New Charter; and

WHEREAS, Charter Communications will merge with a subsidiary of New Charter, and New Charter will assume the name Charter Communications, Inc. ("Charter"); and

WHEREAS, the ultimate control of Franchisee will transfer to Charter; and

WHEREAS, Charter has filed an FCC Form 394 with the Franchise Authority (the "Application") requesting approval of the transfer of control; and

WHEREAS, the Franchise Authority has considered the Application and approves of the Transaction.

NOW, THEREFORE,
BE IT RESOLVED as follows:

The foregoing recitals are approved and incorporated herein by reference.

1. The Franchise Authority consents to the Transaction and to the corporate reorganization described in the Application in accordance with the terms of the Franchise and applicable law.

2. The Franchise Authority confirms that the Franchise is valid and outstanding and in full force and effect and there are no defaults under the Franchise. Subject to compliance with the terms of this Resolution, all action necessary to approve the change of control of the Franchisee to Charter has been duly and validly taken.

3. Charter or Franchisee may (a) assign, transfer, or transfer control of its assets, including the Franchise, provided that such assignment, transfer, or transfer of control is to an entity directly or indirectly controlling, controlled by or under common control with Charter; (b) restructure debt or change the ownership interests among existing equity participants in Charter; (c) pledge or grant a security interest to any lender(s) of Charter's assets, including, but not limited to, the Franchise, or of interest in Charter, for purposes of securing any indebtedness; and (d) sell equity interests in Charter or any of Charter's affiliates.

4. After the closing date of the Transaction (the "Closing Date"), Franchisee shall remain bound by the lawful terms, conditions, responsibilities, obligations, liabilities, and rights contained in the Franchise, including any and all pre-closing non-compliance issues identified after the Closing Date, until the Franchise is either renewed, not renewed or terminated by the Franchise Authority pursuant to federal law and regulations.

5. This Resolution shall be deemed effective upon adoption.

6. This Resolution shall have the force of a continuing agreement with Franchisee, and the Franchise Authority shall not amend or otherwise alter this Resolution without the consent of Franchisee and Charter.

7. Charter agrees that the Franchise shall be deemed amended to incorporate the following provision:

Beginning ninety (90) days after the Closing Date, Franchisee will calculate franchise fees in accordance with the definition of Gross Revenues set forth in Exhibit A attached hereto. This requirement shall be prospective only and contingent upon closing of the Transaction.

8. Franchise Authority does not, as a result of the transfer of control, or by virtue of this Resolution, waive, release or otherwise limit its rights with respect to any failure by Franchisee to comply with any and all of 8. Franchise Authority does not, as a result of the transfer of control, or by virtue of this Resolution, waive, release or otherwise limit its rights with respect to any failure by Franchisee to comply with any and all of the terms and conditions of the Franchise prior to the Closing Date.

9. Franchise Authority’s consent to the transfer of control arising from the Transaction is contingent upon the parties to the Transaction obtaining all other necessary and applicable federal governmental approvals, permits, and authorizations, and is further contingent upon Charter signing a Certificate of Acceptance of this Resolution.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

October 19, 2015

Exhibit A

Gross Revenues - All revenue received by the Franchisee arising from, attributable to, or in any way derived from the operation of its Cable System in the Town to provide Cable Services. Gross Revenues shall include, but are not limited to, the following:

- (1) Basic Service fees;
- (2) Fees charged to Subscribers for any Cable Service tier other than Basic Service;
- (3) Fees charged for premium Cable Services;
- (4) Fees for all digital video tiers;
- (5) Fees for video-on-demand;
- (6) Fees charged to Subscribers for any optional, per-channel or per- program Cable services;
- (7) Revenue from the provision of any other Cable Services;
- (8) Charges for installation, additional outlets, relocation, disconnection, reconnection and change-in-service fees for Cable Service;
- (9) Fees for changing any level of Cable Service programming;
- (10) Fees for service calls on Cable Services;
- (11) Inside wire maintenance fees for Cable Services;
- (12) Service plan protection fees on Cable Services;
- (13) Convenience fees;
- (14) Early termination fees on Cable Services;
- (15) Fees for leased access Channels;
- (16) Charges based on the sale or lease of any portion of the Cable System for Cable service;
- (17) Rental or sales of any and all equipment, including converters and remote control devices;
- (18) Any and all locally-derived advertising revenues for advertising delivered by Cable services;
- (19) Revenues or commissions from locally-derived home shopping channels;
- (20) Revenue from interactive Cable Services;
- (21) Broadcast retransmission fees;
- (22) Late payment fees on Cable Services;
- (23) Billing and collection fees on Cable Services;
- (24) NSF checks charges;
- (25) FCC Regulatory Fee; and
- (26) Franchise Fees.

Gross Revenues shall not include bad debts, program launch fees, investment income, refunded deposits, or any taxes on services furnished by Franchisee and imposed directly upon any Subscriber or user by the Town, state, federal or other governmental unit. In the event of any dispute over the classification of revenue, the Town and Franchisee agree that reference should be made to generally accepted accounting principles ("GAAP") as promulgated and defined by the Financial Accounting Standards Board ("FASB").

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, Mark Lubera, Park Crew Chief of the Town of Lancaster’s Parks Recreation & Forestry Department, has requested the renovation and upgrade of the 90 foot hardball diamond at Westwood Park, the softball diamond at Meadow Lea Park and diamonds No. 4 and 7 at Walden Pond Park in the Town of Lancaster, and

WHEREAS, the Park Crew Chief, obtained three (3) quotes for the renovations and upgrades for the diamonds within the respective parks in accordance with the Town of Lancaster’s Procurement Policy, and

WHEREAS, by letter dated October 14, 2015 Mark Lubera has recommended that the Town of Lancaster award the contract for the renovation and upgrade of the 90 foot hardball diamond at Westwood Park, the softball diamond at Meadow Lea Park and diamonds No. 4 and 7 at Walden Pond Park to Rich’s Sport Fields, Inc., in the amount of \$34,500.00 per their quote dated October 9, 2015, and

WHEREAS, funding for the installation of the renovation and upgrade of the 90 foot hardball diamond at Westwood Park, the softball diamond at Meadow Lea Park and diamonds No. 4 and 7 at Walden Pond Park is available from the Town’s Recreation Filing Fees, and

WHEREAS, there shall be no reimbursement for any renovations, upgrades or services provided until the required documents and insurance certificates are received by the Town.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to award the contract for the renovation and upgrade of the 90 foot hardball diamond at Westwood Park, the softball diamond at Meadow Lea Park and diamonds No. 4 and 7 at Walden Pond Park to Rich’s Sports Fields, Inc., 110 Pavement Road, Lancaster, NY 14086, in accordance with their quote dated October 9, 2015 in the amount not to exceed \$34,500.00 and to be paid for with funds available from the Town’s Recreation Filing Fees pending receipt of the required documents and insurance certificates.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

October 19, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster is aware of the need for additional parking for the Library located at 5466 Broadway in the Village of Lancaster and has acquired the property located at 16 School Street to remedy this need, and

WHEREAS, the dwelling, foundation, shed and driveway located on the property need to be demolished, asbestos needs abatement, debris needs to be removed, water and sewer disconnected, and the site needs to be graded, to begin the process of constructing a parking lot for the Lancaster Library, and

WHEREAS, the Town of Lancaster’s Code Enforcement Officer, Jeffrey Simme, obtained three (3) price quotes for the demolition and removal of various structures and debris on the property, asbestos abatement, the disconnection of sewer and water, and grading of the site located at 16 School Street within the Town of Lancaster in accordance with the Town of Lancaster’s Procurement Policy, and

WHEREAS, by letter dated October 15, 2015, the Code Enforcement Officer has recommended that the Town of Lancaster award the contract for demolishing and removing the dwelling, foundation, shed and driveway, disconnecting the sewer and water, asbestos abatement , and grading of the site to S & A Debris Removal, LLC, for an amount of \$16,500.00 per their quote dated. October 2, 2015.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of Town of Lancaster hereby awards the contract for demolishing and removing the dwelling, foundation, shed and driveway, disconnecting the sewer and water, asbestos abatement, and grading of the site located at 16 School Street, to S & A Debris Removal, LLC, 171 Schwartz Road, Lancaster, New York in accordance with their quote dated October 2, 2015 in the amount not to exceed \$16,500.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

October 19, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, the Town of Lancaster has heretofore established a Joint Social Worker Program with the Lancaster Central School District and desires to continue this program, and

WHEREAS, the Town Board has received assurance of participation in funding by the Lancaster Central School District.

**NOW, THEREFORE, BE IT
RESOLVED**, as follows:

1. That the Lancaster Town Board hereby agrees to continue a joint program for a Social Worker to be an employee of the School District who will also work in the Town of Lancaster with Town of Lancaster residents in response to a demonstrated need for such services including trying to reduce juvenile delinquency and address the impact of social pressures on youth and their families, for the period commencing November 2, 2015 and ending June 30, 2016, and

2. The program has a total annual cost of approximately \$50,082.77 which includes \$38,720.00 for direct salary and \$11,362.77 for contractual expenses and fringe benefits for the period of November 2, 2015 to June 30, 2016; the Town of Lancaster will finance approximately fifty percent(50%) of the direct salary, plus fifty percent (50%)of the contractual expenses and fringe benefit costs for a grand total of \$25,041.38 to be drawn from the General Fund Account "Social Work Counselor Program", additionally the Lancaster Central School District will also finance approximately fifty percent(50%) of the remaining balance of the direct salary, plus fifty percent (50%)of the contractual expenses and fringe benefit costs for a grand total of \$25,041.38 as well, and

3. That Dino J. Fudoli, Supervisor of the Town of Lancaster is authorized to sign the Agreement, subject to the approval of the Town Attorney, for the renewal of the Joint Social Work Program, with the Agreement to be drawn by the Lancaster Central School District, providing for participation in said program including payments by the Town of Lancaster to the Lancaster Central School District in three quarterly installments.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED NO

October 19, 2015

COMMUNICATIONS & REPORTS

- 651. Town Clerk to Town Board –
Clerk's Monthly Report for September 2015. Disposition = Received & Filed**
- 652. Lieutenant R. J. Rozler, Traffic Coordinator to Supervisor –
Determination regarding request for No Parking signs in the area of the dead end/turn around on Silent Meadow Lane. Disposition = Received & filed**
- 653. NYS Dept. of Environmental Conservation to Town Clerk –
Community Update of Cleanup Activities regarding former Dowell Facility, 3311-3313 Walden Avenue, Depew, NY. Disposition = Received & Filed**
- 654. Supervisor to Lancaster High School Motorcade Chairpersons –
Authorization for Lancaster High School to conduct the annual motorcade on Friday, October 16, 2015. Disposition = Received & Filed**
- 655. Park Crew Chief to Planning Board Chairman, Planning Board, Council Member Abraham, Council Member Ruffino, and Council Member Stempniak –
No issues with updated landscape plan for Enterprise Rent-A-Car Storage, 5550 Genesee Street, Proj. #4212. Disposition = Received & Filed**
- 656. Park Crew Chief to Planning Board Chairman, Planning Board, Council Member Abraham, Council Member Ruffino, and Council Member Stempniak –
Incomplete landscape plan for 1202 Townline Road – General Industrial Development of 14 clear span steel buildings, Proj. #5029.
Disposition = Received & Filed**
- 657. Highway Superintendent to Supervisor –
Information regarding striping of Juniper Boulevard.
Disposition = Received & Filed**
- 658. Park Crew Chief to Supervisor and Town Board –
Request for resolution approving installation of fencing at Walden Pond Park diamonds by Iroquois Fence, Inc., 51 North America Dr., West Seneca, NY.
Disposition = Resolution 10/19/15**
- 659. Park Crew Chief to Supervisor and Town Board –
Request for resolution to purchase one T650 T4 Bobcat Track Loader from Bobcat of Buffalo, 6511 South Transit Rd. Lockport, NY.
Disposition = Resolution 10/19/15**
- 660. Town Line Volunteer Fire Department to Town Clerk –
Change in roster. Disposition = Resolution 10/19 15**
- 661. Town Clerk to Various News Media –
Press release announcing that Town Board has declared observance of Halloween for all Town residents shall be set for October 31, 2015 between 6:00PM and 8:30PM. Disposition = Received & Filed**
- 662. Park Crew Chief to Supervisor and Town Board –
Request for resolution for renovations and addition of material for several ball diamonds to be completed by Rich's Sports Fields, Inc., 110 Pavement Road, Lancaster, NY. Disposition = Resolution 10/19 15**
- 663. Village of Lancaster to Town Board –
Minutes from regular meeting held on September 14, 2015.
Disposition = Received & Filed**
- 664. NYS Department of Public Service to Supervisor –
Information regarding a series of public hearings to seek consumer input regarding the state Public Service Commission's Reforming the Energy Vision. Disposition = Received & Filed**

- 665. NYS Dept. of Environmental Conservation to Town Clerk –
Information regarding former Scott Aviation Facility, 225 Erie Street - Public
Comment Invited on No Further Action at Site Proposal.
Disposition = Received & Filed**
- 666. Town Clerk to Various News Media –
Notice of special meeting of the Town Board and Planning Board for the
SEQRA Review: Site Plan: 1202 Townline Road on October 19, 2015 at 6:00PM.
Disposition = Planning Committee**
- 667. Highway Superintendent to Town Board –
Request for resolution to appoint Spencer Podsiadlo from seasonal part-time to
permanent part-time to assist with GIS input. Disposition = Resolution 10/19/15**
- 668. Town Attorney to Town Board and Planning Board –
SEQR response from NYS Dept. of Environmental Conservation regarding
1202 Townline Road, Proj. #5029. Disposition = Planning Committee**
- 669. Executive Director Youth Bureau to Supervisor and Town Board –
Request for the Town of Lancaster to continue to participate in the
collaborative effort with the Lancaster Central School District providing a
Social Work Program from November 2, 2015 through June 30, 2016.
Disposition = Resolution 10/19/15**
- 670. Park Crew Chief to Supervisor and Town Board –
Request for resolution for renovations to be made at several ball diamonds by
Rich's Sports Fields, Inc., 110 Pavement Road, Lancaster, NY.
Disposition = Resolution 10/19/15**
- 671. Supervisor to Superintendent Iroquois Central School District –
Consent to designation of the Iroquois Central School District and its
Board of Education as Lead Agency for its 2016 Capital Project.
Disposition = Received & Filed**
- 672. Supervisor to Director of Medical Operations, Mercy EMS –
Letter of support for Mercy EMS to obtain a Certificate of Need to operate
in the Town of Concord and the Village of Springville.
Disposition = Received & Filed**
- 673. Park Crew Chief to Supervisor and Town Board –
Request for resolution to appoint one individual to the position of part-time
permanent employee for the fall/winter of 2015-2016 in the Parks, Recreation &
Forestry Dept. retroactive to September 21, 2015.
Disposition = Resolution 10/19/15**
- 674. Town Clerk to Town Board –
Copy of special use permit application for Kenworth Northeast Group, Inc.,
561/563 Pavement Road. Disposition = For Resolution**
- 675. Park Crew Chief to Supervisor and Town Board –
Request for resolution to appoint Justin Rybacki from seasonal part-time to
part-time permanent employee in the Parks, Recreation & Forestry Dept.
effective November 30, 2015. Disposition = Resolution 10/19/15**
- 676. Supervising Code Enforcement Officer to James Koral, Chief Twin District Vol.
Fire Company –
Final notice of failure to notify the Code Enforcement Official as per State Code
Fire Prevention Section 110 regarding 33 Hidden Trail.
Disposition = Received & Filed**
- 677. Police Chief to Town Clerk –
Articles and communications. Disposition = Received & Filed**

- 678. Bob Giroux, Lancaster Recreation Dept. to Supervisor and Town Board –
Request for Town to consider possibility of having courts established somewhere
in the Town for pickleball. Disposition = Received & Filed**
- 679. Mayor of Village of Lancaster to Town Supervisor –
Letter of support for Town of Lancaster Community Development Block Grant
application for the purchase of a new handicap accessible senior citizen van.
Disposition = Resolution 10/19/15**
- 680. Planning Board Chairman to Planning Board, Town Board, Engineering
Consultant, Town Attorney, Highway Superintendent, and Building & Zoning
Inspector –
Draft copy of minutes from Planning Board meeting held on October 7, 2015.
Disposition = Received & Filed**
- 681. Planning Board to Town Board –
Recommend approval of site plan for 1202 Townline Road (Proj. #5029);
conditions noted. Disposition = For Resolution**

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER ABRAHAM AND SECONDED BY
COUNCIL MEMBER STEMPNIAK AND CARRIED,** the meeting was adjourned
in memory of Bee A. Fogan and Gustav Grossmann at 8:45 P.M.

Signed _____
Johanna M. Coleman, Town Clerk